

## **REMARKS**

Reconsideration and withdrawal of the rejection with respect to all of the claims now in the application, (i.e., Claims 1-21 and 23-30) is respectfully requested in view of the foregoing supplemental amendments and remarks.

In Applicant's reply to Office Action dated May 6, 2008 Applicant set forth arguments to distinguish the present invention from the cited references. Applicant hereby submits these supplemental amendments and remarks in furtherance of the previous amendment. The claims have been further revised to reflect the random time based nature of the Applicant's view for reward process.

Further to the remarks previously submitted in regard to the cited reference to Goldhaber, Applicant's process is time based in that rewards are commensurate with timed viewing of advertisements. However, as previously stated Goldhaber is the opposite to random advertising and it not time based and is aimed to target that relatively small percentage of people known in advance who might actually want to use the product or service advertised. Therefore, it is critical that Goldhaber knows who is being targeted and this is achieved by profiling the consumer through in depth questioning. Goldhaber recognizes that ads in the mass media can target information directly to individual consumers. Furthermore, Goldhaber pays consumers for their attention, but they are consumers who have been specifically targeted with a product

post-profiling, where the advertisers pay the consumer direct for their time and attention.

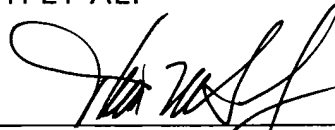
Additionally, Goldhaber is directed to advertising content whereas Applicant's invention has no relation to advertising content, rather to the capacity of the participant to gain a reward for viewing advertising in an entirely random, time based, and non targeted fashion. Advertising content is secondary in the Applicant's process whereas in Goldhaber content is the primary focus. In fact, in the latter, the consumer can positively select the category of ads for viewing. For instance, if a consumer is shopping for a computer, he will elect to specifically view ads for a computer.

In contrast, Applicant's process is directed to random unsolicited time based advertising, but allowing a participant to view such advertising for a reward, benefit, credit, cash, prizes or the like. Furthermore, in Applicant's process there is no direct interaction between the advertiser and interaction with the ad for reward or benefit for having to endure and ad for reward or benefit. Therefore, Applicant respectfully submits that the claims as presently amended are distinguishable over the cited references.

It is believed that the claims in the application are patentable and allowance thereof at an early date is earnestly solicited.

Respectfully submitted,

SMITH ET AL.

A handwritten signature in dark ink, appearing to read 'Thomas M. Galgano', is written over a horizontal line.

Thomas M. Galgano, (27,638)  
GALGANO & ASSOCIATES, PLLC  
Attorneys for Applicant  
20 West Park Avenue, Suite 204  
Long Beach, New York 11561  
Telephone: 516.431.1177

TMG/jgb/jgg

Enclosure: Postcard

F:\G&b\1367\9\revisedsupplemental.wpd